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Attorneys for Plaintiff
DIOPTICS MEDICAL PRODUCTS, INC.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

DIOPTICS MEDICAL PRODUCTS, INC.,
a California corporation,

Plaintiff,

v.

BEI FRANCHISING, INC.,
a Michigan corporation,

Defendant.

Case No. C-06-02643 (MMC)

**VOLUNTARY DISMISSAL WITH
PREJUDICE**

TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE THAT, a confidential settlement having been reached by the parties hereto, Plaintiff Dioptics Medical Products, Inc., voluntarily dismisses the above-captioned action with prejudice pursuant to Federal Rule of Civil Procedure 41 (a) (1) (i).

Dated: January 2, 2007

WINSTON & STRAWN, LLP

By: _____

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DIOPTICS MEDICAL PRODUCTS, INC.